

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

XAVIER DESEAN WATSON
a/k/a "Xavier," "XAECO,"
"ghostspc," "nomore.wonderland," and
"Xavier Strapz"

No. 4:22-MJ-921

JOINT MOTION TO CONTINUE TIME TO INDICT

The government and the defendant, Xavier Desean Watson, jointly request that this Honorable Court extend the time upon which an indictment must be filed for this particular case.

- (1) The Government filed a criminal complaint against the defendant on November 15, 2022, alleging a violation of 18 U.S.C. §§ 922(o) and 924(a)(2), possession and transfer of machineguns.
- (2) The defendant was arrested on November 17, 2022, and initially appeared before the Court the next day on November 18. On November 23, the Court held a probable cause and detention hearing. The defendant waived both, and the Court found probable cause supported the complaint and ordered the defendant detained pending this case.
- (3) Under the Speedy Trial Act, 18 U.S.C. § 3161(b), an indictment must be returned on the instant charge "within thirty days from the date on which [the Defendant] was arrested or served with a summons in connection with

such charges.” This 30th day will fall on or about December 23, 2022, taking into account any excludable time under 18 U.S.C. § 3161(h)(1)(F) and (H), and Federal Rule 45(a).

- (4) The parties request that the Court continue presentation of the Defendant’s case to the Grand Jury for an additional 39 days from December 23, 2022, which would extend the deadline to January 31, 2023. Both parties believe that with additional time in which to gather information about the defendant and the circumstances surrounding the events leading to the pending case, a plea agreement or other disposition may be reached, thus negating the need for an indictment.
- (5) Therefore, the granting of this continuance would be in the interest of judicial economy. Both parties further believe that a continuance would serve the ends of justice and would outweigh the interest of the public in a speedy trial. *See 18 U.S.C. § 3161(h)(8)(A).*
- (6) This request is not made in effort to unduly delay the proceedings, but rather to ensure that justice is achieved. The parties both believe that a failure to grant the requested continuance would deny the parties the time necessary for effective preparation, taking into account the exercise of due diligence. *See 18 U.S.C. § 3161(h)(8)(B)(iv).* As such, return of the indictment within the normal 30-day period could result in a miscarriage of justice. *See 18 U.S.C. § 3161(h)(8)(B)(I).*

(7) For the foregoing reasons, the parties respectfully request that this Honorable Court continue the time upon which an indictment must be filed for an additional 39 days, until on or about January 31, 2023.

Respectfully submitted,

AGREED TO BY

LEIGHA SIMONTON
~~CHAD E. MEACHAM~~
UNITED STATES ATTORNEY


XAVIER DESEAN WATSON

Defendant

/s/ Frank L. Gatto
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